

## Danner, Ward

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**From:** Ingrid Peterson <2ingmail@verizon.net>  
**Sent:** Wednesday, January 08, 2014 8:55 AM  
**To:** dave  
**Cc:** hughbkaufman@comcast.net; Christina Pascucci; melissa; Wilson, Patrick; Armann, Steve; cassandra wiseman; cami; NiColle Holland; Jennifer DENICOLA; Cindy Vador; ken miller; Len Simonian; Brigitte Leonard; Katy Lapajne; bohemianturtle; Calvin Alagot; Jeff Ruch; paula dinerstein; Hope Edelman; joy horowitz; stephanie smith  
**Subject:** Re: Malibu Schools' Contamination Case: Sandra Lyon Prevaracation  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

(I proofread & added a bit this time)

PS elsewhere Lyon tries to justify leaving windows open because there are "concerns" about the contaminants outdoors in the soil. Yes, we DO need testing of the soil throughout the campus for all the contaminants that were found to be in the soil at above background levels near planned construction back in 2010! But the way to test the soil is not by leaving windows open when the classrooms are (improperly) tested. Leaving windows open diluted the results, of course. Also, the cleaning over winter break most probably removed evidence of these other contaminants in the classrooms & makes it harder to answer the question of their probably multiple origins. (Chlordane=banned termiticide, DDT, DDE, lead, cadmium, arsenic, benzene, toluene were all found in the soil at above background levels in 2010.). Trenching was done in rooms 1 & 2 in August 2013. Only PCBs have been tested for in the classrooms, even in these classrooms where soil was disturbed 5 feet down right before school started this fall & only sloppily cleaned up!)

On Jan 8, 2014, at 8:17 AM, Ingrid Peterson <[2ingmail@verizon.net](mailto:2ingmail@verizon.net)> wrote:

Corrections to some of Lyon's comments to you in the letter she wrote you below:

Plus:

A small correction & clarification about testing with windows closed:

I'm the MHS parent & staff member who had emailed Hugh last night about the windowless rooms (which do, however, have old caulking containing PCBs around their doors, at least, & some had the highest PCBs levels):

This statement by Lyon is misleading:

"The EPA guidelines for BMP do state that windows should be open to increase ventilation when weather permits."

That is the EPA "best practices" recommendation for classroom use AFTER all remediation has been done.

It is NOT their recommendation for testing, and in fact Wilson & Armann at our Region IX EPA office specified that windows should be closed for PCBs testing.

This Lyon's statement to you (& written to others elsewhere ) is wrong:

"It's not unusual for teachers to have windows open in their classrooms especially when they are full of students and we were advised that you would want to capture some air samples that replicate actual in-use conditions of the classrooms"

As I wrote to another concerned parent (& copied Hugh) recently:  
"In actuality, I believe the windows & even doors in most of the rooms in the middle school building are usually closed this time of year -- even in Malibu, Hugh -- because it's either cool or cold outside, especially in the mornings, even on days that warm up later in the day. (I think the teachers would agree with that statement.). What a ridiculous excuse to open the windows for the testing! And then to use the overcrowded classrooms as part of the justification! Why didn't they just ask the teachers?"  
PS Students will often ask to have the door closed as well because they're chilly. (I have worked as a Special Ed Instructional Assistant in many classrooms in the middle & high school general ed classrooms at MHS for 6 and a half years.)

By the way, NO teachers chose to move back into Building E / middle school building. One administrator did.  
2 music teachers did move back into their rooms in the music building.

Also, on terms of "safe" there's a difference between "acute" (immediate) danger & "chronic" (longterm) danger -- the kind of danger caused by carcinogens, of course. Lyon has often chosen to ignore this distinction & claim MHS is safe because experts have said there is no acute danger."

Clarifications & corrections to what I wrote Hugh:  
"In posted Jan. 5 Q & A, Lyon justifies that it's reasonable to have tested 5 of 11 rooms with windows closed -- the rest open --but those 5 rooms don't have windows, so no wonder they were closed!!!"

Clarification: this was her comment referring to the "Pre-Cleaning Air Testing" done on Dec. 21 & 22.  
There were several groups of rooms tested on different dates over Winter Break. See [SMMUSD.org](http://SMMUSD.org) posted notices & look under "SMMUSD Information Updates" for the details.  
Correction to my error: Room 6 in Building E / middle school building has windows & they were closed for Dec. 21-22 testing.

Sorry for my errors lack of clarity before, Hugh. It is complicated -- as is life!

Facts from me:  
Here are the rooms without windows in these 2 tested buildings:  
In Building E ("the middle school building") Rooms 14 & 17 (17=storage closet next to Room 1, used by middle school theater teacher)  
& Rooms 301, 302 & 303 in music building.

Ingrid Peterson  
-Mom of 2013 graduate of MHS (who attended for all 7 years and rolled in that dirt with the other boys on the middle school quad)  
-MHS Special Ed Instructional Assistant (at Malibu campuses a total of 8 years now)

On Jan 8, 2014, at 6:27 AM, [hughbkaufman@comcast.net](mailto:hughbkaufman@comcast.net) wrote:

Dear Dave,

SMMUSD Superintendent Sandra Lyon provided you false, misleading and inaccurate information.  
Apparently the only Malibu schools' classrooms tested where the **windows were "shut"**, had **no windows**.

Be well, Hugh Kaufman

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**"EPA's acceptance of the [air test] plan is conditioned on the following: ... all windows in the rooms tested shall be closed..."**

-EPA's Patrick Wilson to Superintendent Sandra Lyon, Dec. 20, 2013

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**"...we did test in some classrooms with windows open, others with them shut."** - Sandra Lyon, SMMUSD

[How do you "shut" windows that don't exist?]

**From:** "Lyon, Sandra" <[slyon@smmusd.org](mailto:slyon@smmusd.org)>  
**Date:** January 3, 2014 1:51:46 PM PST  
**To:** Dave Simpson <[dave@smdp.com](mailto:dave@smdp.com)>  
**Subject:** RE: Malibu High testing

Hi Dave,  
Sorry I'm just now getting back to you.

The cleaning has gone very well. The EPA is currently reviewing the pre-cleaning air data. I've posted the raw results to the website and hope to share more information regarding the analysis before we return to school. The data collection in October was reviewed by the EPA and we were advised the rooms are safe to occupy and they recommended that we consider implementing best management practices (BMP). We did clean all of the rooms over the break with BMP so that teachers and

students can return to their original classrooms with confidence. Once the environmental engineering firm is hired this month they will assist us with training staff and putting a BMP plan in place districtwide.

It's not unusual for teachers to have windows open in their classrooms especially when they are full of students and we were advised that you would want to capture some air samples that replicate actual in-use conditions of the classrooms. In order to capture a range of data, I was informed that **we did test in some classrooms with windows open, others with them shut. For the rooms that triggered the regulatory standard, we kept the windows closed as we had them closed during the initial testing.** The EPA guidelines for BMP do state that windows should be open to increase ventilation when weather permits.

Hope this helps. I'm heading into a meeting, but let me know if you any questions.

Thanks,  
Sandy

Sandra Lyon  
Superintendent  
Santa Monica-Malibu Unified School District